

AMENDMENT and RESPONSE

In response to the Final Office Action dated August 11, 2004, kindly amend the application as follows:

IN THE CLAIMS:

Kindly amend the claims as shown in the listing of claims above.

REMARKS

Applicant thanks the Examiner for the courteous Final Action on the merits. Every effort has been made to make this application allowable; if any issues remain, the Examiner is requested to call the undersigned.

Claim Objection

Claim 9 is objected to on the grounds that it claimed, through obvious typographical error, dependency upon itself instead of Claim 1. Applicant thanks the Examiner for pointing out the error. Correction is made in the listing of claims above.

Claim Rejection – U.S.C. §102(b) (U.S. Patent No. 1,438,547 – O'Connor)

Claims 1-4, 8, 10-13 and 16 are rejected under 35 U.S.C. §102(b) as being anticipated by O'Connor (U.S. Patent No. 1,438,547). Claim 1 has been amended to incorporate the feature of claim 5 indicated to be allowable, mooting its rejection and that of claims 2-4

dependent thereon. Claim 5 has been made dependent on claim 6; claim 6, indicated to be allowable has been made independent by incorporating substantially claim 1. Claim 8 depends from claim 1 and is now allowable. Claim 10 has been amended to incorporate substantially the features of claim 5, indicated to be allowable. Claims 11, 12 and 16 are allowable as dependent on amended claim 10. Claim 13 has been made independent and is allowable as reciting the spring biased carrier feature, as in claim 5 indicated to be allowable. Claim 14, indicated to be allowable if independent, has been made independent.

Claim Rejection – U.S.C. §102(b) (U.S. Patent No. 4,834,161 – Johnson)

Claims 1-4, 7, 8, 10-12, 15-17 and 19 are rejected under 35 U.S.C. §102(b) are being anticipated by Johnson. Claim 1 has been amended above and is patentable as above set forth. Claims 2-4, 7 and 8 are patentable as dependent on claim 1. Claim 10 is patentable as amended as set forth above. Claims 11, 12, 15, 16 and 17 are patentable as dependent on claim 10. Claim 13 has been made independent and substantially incorporates the spring bias structure of claim 5 indicated to be allowable. Claim 19 has been amended to add spring-biased to the carrier description and is allowable as claim 1.

Claim Rejection – U.S.C. §103(a) (U.S. Patent No. 1,438,547 – O'Connor)

Claims 7, 9, 13, 15, and 18 are rejected under 35 U.S.C. §103(a) as being unpatentable over O'Connor (U.S. Patent No. 1,438,547). Claims 7 and 9 depend on claim 1 and are patentable based on comments made above anent claim 1. Claim 13 is independent and

patentable over O'Connor for reasons advanced in connection with claim 13 as amended, above. Claim 15 depends on claim 13 and is patentable for reasons advanced in connection with claim 13, above. Claim 18 depends indirectly on claim 10 and is patentable for reasons advanced in connection with claim 10, above.

Claim Rejection – U.S.C. §103(a) (U.S. Patent No. 4,834,161 – Johnson)

Claims 9 and 18 are rejected under 35 U.S.C. §103(a) as being unpatentable over Johnson (U.S. Patent No. 4,834,161). These claims are dependent on claim 1 and claim 10 respectively and are patentable for reasons advanced in connection with those claims, above.

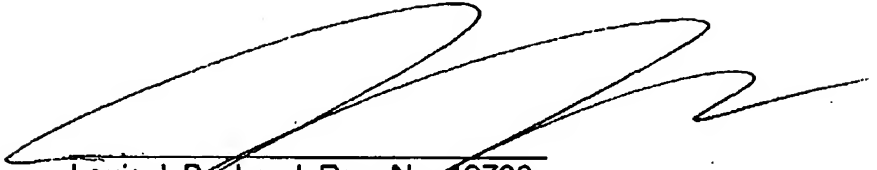
Allowable Subject Matter

Claims 5, 6, 14 and 20 are objected to as being dependent upon a rejected base claim and the Examiner has indicated that these claims would be allowable if rewritten in independent form. Claim 6 has been made independent, claim 5 now depends on claim 6; claims 14 and 20 have been made independent.

Conclusion

Reconsideration and allowance of the application and all claims are requested.

Respectfully submitted,



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Received in the Patent and Trademark Office:

- 1) Amendment and Response to Office Action dated August 11, 2004
- 2) Fee Transmittal FY2005
- 3) Certificate of Facsimile Transmission

Inventor: Peter Hauber
Title: One-touch-Actuated Multipoint Latch System for Doors and Windows
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